
Minutes
Regular Meeting
September 11, 2013

Present: Mayor Pro-Tem Jeff Turek, Councilmen Bill Hudson, Thad Seegmiller, Kress Staheli, Ronald Truman, City Manager Roger Carter, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, Public Works Director Mike Shaw, Community Development Director Drew Ellerman, Police Chief Jim Keith, Audience: Warren Hannig, Susan Hannig, Shawn Wiscombe, Katherine Staheli, Daylene Ure, Wyatt Read, Amy Read, Rex Papa, Rick Bonewell

Meeting commenced at 6:02 P.M.

Mayor Kenneth Neilson was excused from the meeting.

Invocation: Councilman Hudson

Pledge of Allegiance: Councilman Seegmiller

1. APPROVAL OF THE AGENDA

*Councilman Hudson made a motion to approve the agenda with the removal of Item 4.
Councilman Seegmiller seconded the motion; which passed with the following roll call vote:*

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

2. ANNOUNCEMENTS

None

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 8/27/13 and 8/28/13.

Removed

5. PUBLIC HEARINGS AND RELATED ORDINANCE

A. Continuation of Public Hearing for the consideration to approve a Zone Change application Z-13-08, requesting to change the present zone from R-1-12 (Residential Single Family Residents 12,000 square foot lots) to AP (Administrative Professional) zone, located approximately at 600 East 2100 South. Applicant: Shawn Wiscombe

Community Development Director Drew Ellerman reviewed:

This item was tabled from the August 28, 2013 city council meeting due to possible problems with the legal description exhibit (as to the proposed two (2) acres being moved in favor of additional lots to the adjoining parcel). After meeting with Mr. Ralph Staheli (property owner) two days after the City Council meeting, he assured me that the current exhibit (original one from the last meeting) is to be the correct exhibit for the requested zone change.

The applicant is (still) requesting approval to change the zoning of approximately 2.00 acres, located at approximately 600 East 2100 South. The requested change is from the current zoning of Single Family Residential-12,000 Square Foot Min. (R-1-12) to a proposed Administrative-Professional (AP) zoning designation.

The General Plan Land Use Map designation for this location is Neighborhood Commercial (NC) which allows for zoning districts of AP and C-1. The surrounding zoning districts are R-1-12 to the north & west, and AG-20 to the south & east.

The applicant is wishing to rezone this particular parcel to the Administrative / Professional designation for the purpose of developing a funeral home business. Recently the parcel was approved for a General Plan amendment from Low Density Residential (LD) to the Neighborhood Commercial (NC) General Plan Land Use Designation.

This proposed zone change is the second of a three step process for the funeral home to actually be developed at this particular location. If this zone change request is approved by the Planning Commission and City Council, the development will still have to return to the Planning Commission with an application for a Conditional Use Permit (the third and final step in the process).

Staff has reviewed the proposed zone change and finds it conforms to the General Plan Land Use designation for this particular site. The troubling item as it relates to this request, is the concern that was heavily debated in the General Plan Land Use amendment, which is the access to and from the property. As we are all aware, this parcel is currently accessible, only by driving through the Nichols Peak subdivision. The question was asked by a city councilman during their review of the General Plan Land Use Map amendment; "when would be the best time to address the concerns regarding access, now or at the zone change request?" Staff replied that it would probably be more appropriate to be addressed at the zone change request. So, the zone change request has been applied for, and now is that time to address the accessibility to and from the parcel in question.

During the public hearing with the city council, Mrs. Kathrine Staheli (part owner of the lot) made a viable comment which proposed a solution for the accessibility of the lot in question. She suggested that a block wall be built at the end of Kays Circle which would prohibit access into the funeral home parcel from that street. Then utilizing the dirt drive (which currently exist directly

east of Nichols Drive), which would be tied to the Old Washington Fields Road (600 East) allowing for direct access to the parcel of this zone change request. Staff feels that this would be a viable solution to the concerns that have been voiced. Of course the proposed drive access would have to meet city standards as per construction, minimum width and grade, etc..

Also, during that same city council hearing, Mr. Ralph Staheli (also an owner of the lot), mentioned that he would like to extend the old Washington Fields Road (600 East) through his property and tie it back into the new Washington Fields Road at some point in the future. This proposed access would be extremely valuable to future neighborhood commercial development at this location.

The Planning Commission unanimously recommended approval of Z-13-08, for the zone change request from Single-family Residential - 12,000 square feet min. (R-1-12) to the Administrative Professional (AP) zoning designation, to the City Council, based on the following findings:

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the utilities that will be necessary for this type of development will be readily accessible to the site.

Councilman Seegmiller noted there would not be access to the property from Kay's Circle.

Mr. Ellerman stated the property will have access from a private drive off the old Washington Fields Road.

Councilman Hudson asked what types of uses could be allowed in the AP Zone.

Mr. Ellerman reviewed the City Code listed permitted uses with the Council.

Councilman Hudson made a motion to close the public hearing. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

B. Continuation to Consider approval of an Ordinance adopting Zone Change request Z-13-08 to change present zone from R-1-12 to AP zone.

Councilman Staheli made a motion to approve an Ordinance adopting Zone Change Z-13-08 to change present zone from R-1-12 to AP Zone. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Nay</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>

Mayor Pro-Tem Turek Aye

6. **REPORT OF OFFICERS FROM ASSIGNED COMMITTEE**

None

7. **CITY MANAGER REPORT**

Councilman Truman asked if there was any flooding issues this week.

City Manager Roger Carter stated we are having some sheet flooding in the agricultural areas in the Washington Fields areas because of the flat ground. Public Safety Officials, Public Works, and Councilman Jeff Turek met today to address some of the areas of concern, which will be monitored throughout the night. The biggest concern is the saturation levels because of the continuous rain.

Councilman Staheli stated he had an opportunity to go to some of the Elementary Schools today, and he would like to express his appreciation to the Public Safety for all of the time they invest in our schools.

8. **ADJOURNMENT**


Councilman Hudson made a motion to adjourn the Regular Meeting. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

Meeting adjourned at 6:16 P.M.

Passed and approved this 25th day of September 2013.

Attest by:


Danice B. Bulloch, CMC
City Recorder



Washington City


Kenneth F. Neilson, Mayor